Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

Draft

AIR QUALITY PERMIT

Issued under 401 KAR 52:030

Permittee Name:	**Audubon Metals, LLC**
Mailing Address:	**3055 Ohio Drive, Henderson, Kentucky 42420**
Source Name:	**Audubon Metals, LLC**
Mailing Address:	**Same as above**
Source Location:	**Same as above**
Permit ID:	**F-07-019, Renewal**
Agency Interest #:	**1790**
Activity ID:	**APE20060002**
Review Type:	**Conditional Major / Synthetic Minor, Operating**
Source ID:	**21-101-00118**
Regional Office:	**Owensboro Regional Office** **3032 Alvey Park Dr. W., Suite 700** **Owensboro, KY 42303** **(270) 687-7304**
County:	**Henderson**
Application Complete Date:	**February 28, 2007**
Issuance Date:	
Revision Date:	
Expiration Date:	

John S. Lyons, Director
Division for Air Quality

Revised 09/29/06

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	Rev #	Permit type	Log #/APE	Complete Date	Issuance Date	Summary of Action
F-01-033	**----**	**Initial Issuance**	**G368/51155**	**09/14/00**	**04/05/2002**	**Permit issuance**
F-01-033 (R1)	**1**	**Significant Revision**	**20060001**	**9/22/06**	**01/18/07**	**Construction a new Thermal Dryer to replace the existing one. Details are in SOB.**
F-07-019	**----**	**Renewal**	**20060002**	**2/28/07**		**Permit Renewal**

SECTION A – PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Group Requirements: **Group 1**

EP#	Description		Control Device	Construction Commenced
003	003a (Sidewell)	Smelter/Converter Furnace #1	Baghouse	October 12, 1994
	003b (Sidewell)	Smelter/Converter Furnace #2		October 28, 1998
	003c (Sidewell)	Smelter/Converter Furnace #3		September 14, 2000
004a	Flue Stack #1 for Smelter/Converter Furnace #1		None	October 12, 1994
004b	Flue Stack #2 for Smelter/Converter Furnace #2		None	October 28, 1998
004c	Flue Stack #3 for Smelter/Converter Furnace #3		None	September 14, 2000
006(-)	Rotary Thermal Dryer (New)		Afterburner & Baghouse	February 07, 2007

Description:
Each smelter/converter furnace processes scrap aluminum and base metal at a pulling capacity of 5.5 tons/hour. The molten metal is combined with 10,000 pounds of flux/day and demag chlorine gas to produce aluminum ingots. Emissions from the melt (EP3) are controlled by a baghouse and a 30-pound/hour solid lime injection that acts as an in-line "dry scrubber". During dross skimming of the furnace, some emissions may be emitted as fugitive. The burner capacity is 28.6 mmbtu/hr. Emissions from each hearths (EP4a, EP4b, and EP4c) are vented to the atmosphere through three flue stacks #1, #2, and #3 without control. Per the 40 CFR 63 Subpart RRR §63.1500 Applicability, these units are not subject to any of the Subpart RRR requirements because they process only clean charge and the source is area source.
Scrap aluminum from the heavy media separation process is dried in the rotary dryer. The rated input capacity of the dryer is 6.625 mmBtu/hour and there is an associated afterburner with a rated input capacity of 16.96 mmBtu/hr. The rotary dryer is controlled by an afterburner, an in-line lime injection/"dry scrubber", and a baghouse. Dried aluminum scrap is transferred to the furnaces via covered conveyor. Under 40 CFR 63 Subpart RRR §63.1503 Definitions, this emission point is defined as a new thermal chip dryer while processing only Clean Charge. Per the 40 CFR 63 Subpart RRR §63.1500 Applicability, this unit is only subject to the Subpart RRR requirements for D/F because the facility is an area source of hazardous air pollutants.

Emission Activity:	**Pollutants:**
From each furnace:	
• Aluminum melting, fluxing, and chlorinating	PM, PM10, HCl, HF, D/F
• Natural gas usage	PM, PM10, CO, SO_2, NO_X, VOC
• Dross skimming fugitive	PM, PM10, HCl, HF, D/F, VOC

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

From dryer:

- Scrap drying — PM, PM10, VOC, D/F
- Process gas/Auxiliary Natural Gas — PM, PM10, CO, SO_2, NO_X, VOC

APPLICABLE REGULATIONS:

- 401 KAR 59:010 – New process operations. Applies to particulate and visible emissions from all emission activities except for natural gas usage and fugitive loss from each furnace.
- 401 KAR 63:010 – Fugitive emissions. Applies to fugitive emissions.
- 401 KAR 53:010 – Ambient Air Quality Standards. Applies to HF emissions.
- 40 CFR 63 Subpart RRR – National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production. Applies to D/F emissions from the thermal chip dryer.

1. Operating Limitations:

a. For the three furnaces (EP3), only clean charge shall be used.

b. For each furnace, the permittee shall not process more than 5.5 ton/hour of scrap aluminum and base metal, 10,000 pounds/day of flux, and 120 lbs/hr of demag chlorine gas (3-hour average). For the dryer, the permittee shall not process more than 16.45 tons/hour of scrap aluminum (Self-imposed to preclude 401 KAR 52:020 – Title V permits).

c. The permittee shall comply with applicable operating standards in 401 KAR 63:010 Section 3.

d. The permittee shall operate the associated scrubber and baghouse all the time while the furnaces or/and thermal dryer are in operation.

Compliance Demonstration: Records shall be kept of the times when the units are operating but the control devices are not. Records shall also be kept of the maintenance activities.

e. For Thermal Dryer only, pursuant to 40 CFR 63 Subpart RRR §63.1506, the permittee shall comply with following operating requirements including but not limited to:

i. (c) - Capture/collection systems. For each affected source or emission unit equipped with an add-on air pollution control device, the owner or operator must:

(1) Design and install a system for the capture and collection of emissions to meet the engineering standards for minimum exhaust rates as published by the American Conference of Governmental Industrial Hygienists in chapters 3 and 5 of "Industrial Ventilation: A Manual of Recommended Practice" (incorporated by reference in §63.1502 of subpart RRR);

(2) Vent captured emissions through a closed system, except that dilution air may be added to emission streams for the purpose of controlling temperature at the inlet to a fabric filter; and

(3) Operate each capture/collection system according to the procedures and requirements in the OM&M plan.

ii. (d) - Feed/charge weight. The owner or operator of each affected source or emissions unit subject to an emission limit in kg/Mg (lb/ton) or µg/Mg (gr/ton) of feed/charge must:

(1) Except as provided in paragraph (d)(3) of this section, install and operate a device

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

that measures and records or otherwise determine the weight of feed/charge (or throughput) for each operating cycle or time period used in the performance test; and

(2) Operate each weight measurement system or other weight determination procedure in accordance with the OM&M plan.

iii. (f) - Thermal chip dryer. The owner or operator of a thermal chip dryer with emissions controlled by an afterburner must:

(1) Maintain the 3-hour block average operating temperature of each afterburner at or above the average temperature established during the performance test.

(2) Operate each afterburner in accordance with the OM&M plan.

(3) Operate each thermal chip dryer using only unpainted aluminum chips as the feedstock.

iv. (p) - Corrective action. When a process parameter or add-on air pollution control device operating parameter deviates from the value or range established during the performance test and incorporated in the OM&M plan, the owner or operator must initiate corrective action. Corrective action must restore operation of the affected source or emission unit (including the process or control device) to its normal or usual mode of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. Corrective actions taken must include follow-up actions necessary to return the process or control device parameter level(s) to the value or range of values established during the performance test and steps to prevent the likely recurrence of the cause of a deviation.

2. Emission Limitations:

a. The permittee shall not emit:
   i. Particulate emission in excess of 10.33 pounds/hour from each furnace, 45 tons/12-month rolling average from 3 furnaces (Self-imposed to preclude 401 KAR 52:020 – Title V permits), and 20.38 pounds/hour based on maximum hourly throughput pursuant to 401 KAR 59:010, and 25 tons/12-month rolling average from the rotary thermal dryer (Synthetic Minor Limit).
   ii. Pursuant to 401 KAR 59:010, visible emission equal to or greater than twenty (20) percent opacity from each emission point.

b. For Thermal Dryer only, pursuant to 40 CFR 63 Subpart RRR §63.1505 (c)(2), the permittee shall not emit from the thermal chip dryer, D/F emissions in excess of 2.50 µg of D/F TEQ/Mg (3.5×10^{-5} gr of D/F TEQ/ton) of feed/charge.

c. Pursuant to 401 KAR 53:010, the permittee shall ensure that source-wide HF emissions (modeled ground-level concentration) do not cause an exceedance with either the primary or secondary ambient air quality standards at any single point location. The permittee shall not emit source-wide HF emissions in excess of 7.52 tons/12-month rolling average.

Compliance Demonstration Method:

a. For particulate and visible emissions from each emission point:
   i. The permittee shall demonstrate compliance with the particulate emission limit through the following equation:

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Hourly particulate emissions (pounds/hour)
= Σ [Hourly aluminum throughput to each particulate emitting emission activity (tons/hour) x KEIS particulate emission factor for each emission activity (pounds/ton) x (1 - KEIS particulate control efficiency (%) / 100)]
Monthly particulate emissions (tons/month)
= Hourly particulate emissions (pounds/hour) x (monthly hours of operation) / (2000 pounds/ton)

The hourly aluminum throughput shall be determined by averaging the total aluminum throughput for each month over the total hours of operation for the month. The annual emission is the sum of any twelve consecutive months. Upon the Division's approval of permittee's performance test report, the permittee can request that the performance test emission factor be used.

ii. The permittee shall demonstrate compliance with the opacity limit through monitoring and maintenance of records as specified in ***4. Specific Monitoring Requirements*** and ***5. Specific Recordkeeping Requirements***.

b. Pursuant to 40 CFR 63 Subpart RRR, the permittee shall demonstrate compliance with the D/F emission limits using Equation 7a in §63.1513 (b)(2) for the thermal chip dryer as the following:

$$E=\frac{C\times Q}{P} \qquad \text{(Eq. 7A)}$$

Where:

E = Emission rate of D/F, µg/Mg (gr/ton) of feed;

C = Concentration of D/F, µg/dscm (gr/dscf);

Q = Volumetric flow rate of exhaust gases, dscm/hr (dscf/hr); and

P = Production rate, Mg/hr (ton/hr).

c. The permittee shall demonstrate compliance with the source-wide HF emission limit through the following equation:
Monthly source-wide HF emissions (tons/month)
= Σ [Hourly aluminum throughput to each HF emitting emission activity (tons/hour) x KEIS HF emission factor for each emission activity (pounds/ton) x (1 - KEIS HF control efficiency (%) / 100)] x (monthly hours of operation) / (2000 pounds/ton)

The hourly aluminum throughput shall be determined by averaging the total aluminum throughput for each month over the total hours of operation for the month. The annual emission is the sum of any twelve consecutive months. Upon the Division's approval of permittee's performance test report, the permittee can request that the performance test emission factor be used.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 59:005, § 2(2) and 50:045, § 4.

4. Specific Monitoring Requirements:

a. The permittee shall monitor the type and monthly amount of scrap aluminum, base metal, flux, and demag chlorine gas used for each emission point listed above.

b. To provide reasonable assurance that the visible emission limitations are being met for each emission point, a representative of the permittee who is certified in visible emissions evaluations, shall conduct the following:

i. Perform a qualitative visual observation of the opacity of emissions from each stack or vent on a monthly basis for EP3, and 4 times a day (at least one time during tapping) for flue stacks (EP4a, EP4b, and EP4c) and maintain a log of the observation (see 5. Specific Recordkeeping Requirements).

ii. Determine the opacity of the emissions by Reference Method 9 if visible emissions from any stack or vent are observed.

c. The permittee shall monitor the monthly hours of operation of each emission point listed above.

d. Monitor the pressure drop across the baghouse associated with EP3 weekly.

e. Monitor the pressure drop across the baghouse associated with EP6 weekly.

f. For EP 6 only, pursuant to 40 CFR 63 Subpart RRR §63.1510, the permittee shall comply with following monitoring requirements including but not limited to:

i. (b)(1), (b)(2), (b)(3), (b)(4)(i), (b)(5), (b)(6), (b)(7) - Operation, maintenance, and monitoring (OM&M) plan.

ii. (d) - Capture/collection system. The owner or operator must:

(1) Install, operate, and maintain a capture/collection system for each affected source and emission unit equipped with an add-on air pollution control device; and

(2) Inspect each capture/collection and closed vent system at least once each calendar year to ensure that each system is operating in accordance with the operating requirements in §63.1506(c) and record the results of each inspection.

(e) - Feed/charge weight. The owner or operator of an affected source or emission unit subject to an emission limit in kg/Mg (lb/ton) or µg/Mg (gr/ton) of feed/charge must install, calibrate, operate, and maintain a device to measure and record the total.

iii. Weight of feed/charge to, or the aluminum production from, the affected source or emission unit over the same operating cycle or time period used in the performance test. As an alternative to a measurement device, the owner or operator may use a procedure acceptable to the applicable permitting authority to determine the total weight of feed/charge or aluminum production to the affected source or emission unit.

(1) The accuracy of the weight measurement device or procedure must be ±1 percent of the weight being measured. The owner or operator may apply to the permitting agency for approval to use a device of alternative accuracy if the required accuracy cannot be achieved as a result of equipment layout or charging practices. A device of alternative accuracy will not be approved unless the owner or

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

operator provides assurance through data and information that the affected source will meet the relevant emission standard.

(2) The owner or operator must verify the calibration of the weight measurement device in accordance with the schedule specified by the manufacturer, or if no calibration schedule is specified, at least once every 6 months.

iv. (g) – Afterburner. These requirements apply to the owner or operator of an affected source using an afterburner to comply with the requirements of this subpart.

(1) The owner or operator must install, calibrate, maintain, and operate a device to continuously monitor and record the operating temperature of the afterburner consistent with the requirements for continuous monitoring systems in subpart A of this part.

(2) The temperature monitoring device must meet each of these performance and equipment specifications:

(i) The temperature monitoring device must be installed at the exit of the combustion zone of each afterburner.

(ii) The monitoring system must record the temperature in 15-minute block averages and determine and record the average temperature for each 3-hour block period.

(iii) The recorder response range must include zero and 1.5 times the average temperature established according to the requirements in §63.1512(m).

(iv) The reference method must be a National Institute of Standards and Technology calibrated reference thermocouple-potentiometer system or alternate reference, subject to approval by the Administrator.

(3) The owner or operator must conduct an inspection of each afterburner at least once a year and record the results. At a minimum, an inspection must include:

(i) Inspection of all burners, pilot assemblies, and pilot sensing devices for proper operation and clean pilot sensor;

(ii) Inspection for proper adjustment of combustion air;

(iii) Inspection of internal structures (e.g., baffles) to ensure structural integrity;

(iv) Inspection of dampers, fans, and blowers for proper operation;

(v) Inspection for proper sealing;

(vi) Inspection of motors for proper operation;

(vii) Inspection of combustion chamber refractory lining and clean and replace lining as necessary;

(viii) Inspection of afterburner shell for corrosion and/or hot spots;

(ix) Documentation, for the burn cycle that follows the inspection, that the afterburner is operating properly and any necessary adjustments have been made; and

(x) Verification that the equipment is maintained in good operating condition.

(xi) Following an equipment inspection, all necessary repairs must be completed in accordance with the requirements of the OM&M plan.

v. (k) - Thermal chip dryer. These requirements apply to the owner or operator of a thermal chip dryer with emissions controlled by an afterburner. The owner or operator must:

(1) Record the type of materials charged to the unit for each operating cycle or time period used in the performance test.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(2) Submit a certification of compliance with the applicable operational standard for charge materials in §63.1506(f)(3) for each 6-month reporting period. Each certification must contain the information in §63.1516(b)(2)(i).

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following:

a. The type and monthly amount of scrap aluminum and base metal throughput for each emission point listed above, and flux and demag chlorine gas used for the three furnaces (EP3).

b. A log of monthly opacity observations for EP3 and a log of daily observations for EP4a, EP4b, and EP4c which shall note:
   i. Whether any air emissions (except for water vapor) were visible from the vent/stack.
   ii. All emission points from which visible emissions occurred.
   iii. The opacity of the emissions as determined by Reference Method 9 and any other corrective actions, if visible emissions from any stack or vent is observed.

c. The monthly hours of operation of each emission point listed above.

d. Weekly log of the pressure drop across the baghouse associated with EP3.

e. Weekly log of the pressure drop across the baghouse associated with EP6.

f. For EP 6 only, pursuant to 40 CFR 63 Subpart RRR §63.1517, the permittee shall comply with following recordkeeping requirements including but not limited to subsections (a), (b)(2), (b)(7), (b)(14), and (b)(16).
   i. Pursuant to §63.1517 (a), the owner or operator shall maintain files of all information (including all reports and notifications) required by the general provisions and this subpart.
      (1) The owner or operator must retain each record for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The most recent 2 years of records must be retained at the facility. The remaining 3 years of records may be retained off site.
      (2) The owner or operator may retain records on microfilm, computer disks, magnetic tape, or microfiche; and
      (3) The owner or operator may report required information on paper or on a labeled computer disk using commonly available and EPA-compatible computer software.
   ii. Pursuant to §63.1517 (b)(2), In addition to the general records required by §63.10(b), the owner or operator of a new or existing affected source (including an emission unit in a secondary aluminum processing unit) must maintain records of:
      (1) For each affected source with emissions controlled by an afterburner:
      (i) Records of 15-minute block average afterburner operating temperature, including any period when the average temperature in any 3-hour block period falls below the compliant operating parameter value with a brief explanation of the cause of the excursion and the corrective action taken; and
      (ii) Records of annual afterburner inspections.
   iii. Pursuant to §63.1517 (b)(7), For each affected source and emission unit subject to an emission standard in kg/Mg (lb/ton) of feed/charge, records of feed/charge (or throughput) weights for each operating cycle or time period used in the performance test.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

iv. Pursuant to §63.1517 (b)(14), Records of annual inspections of emission capture/collection and closed vent systems.

v. Pursuant to §63.1517 (b)(16), Current copy of all required plans, including any revisions, with records documenting conformance with the applicable plan, including:
(i) Startup, shutdown, and malfunction plan;
(ii) OM&M plan; and
(iii) Site-specific secondary aluminum processing unit emission plan (if applicable)

6. Specific Reporting Requirements:

a. Any exceedance over the emission limitations stated in this permit shall be reported to the Division as specified in Section F.

b. Pursuant to 40 CFR 63 Subpart RRR §63.1515 and §63.1516, the permittee shall comply with following notification and reporting requirements including but not limited to:

i. §63.1515 (a)(4), (a)(5), (a)(6) - Initial notification. The owner or operator must submit initial notifications to the applicable permitting authority as described in paragraphs (a)(4) through (6) of this section.
(1) Pursuant to §63.1515 (a)(4); As required by §63.9(b)(5), after the effective date of this subpart, an owner or operator who intends to construct a new affected source or reconstruct an affected source subject to this subpart, or reconstruct a source such that it becomes an affected source subject to this subpart, must provide notification of the intended construction or reconstruction. The notification must include all the information required for an application for approval of construction or reconstruction as required by §63.5(d). For major sources, the application for approval of construction or reconstruction may be used to fulfill these requirements.
(i) The application must be submitted as soon as practicable before the construction or reconstruction is planned to commence (but no sooner than the effective date) if the construction or reconstruction commences after the effective date of this subpart; or
(ii) The application must be submitted as soon as practicable before startup but no later than 90 days after the effective date of this subpart if the construction or reconstruction had commenced and initial startup had not occurred before the effective date.
(2) Pursuant to §63.1515 (a)(5); As required by §63.9(d), the owner or operator must provide notification of any special compliance obligations for a new source.
(3) Pursuant to §63.1515 (a)(6); As required by §63.9(e) and (f), the owner or operator must provide notification of the anticipated date for conducting performance tests and visible emission observations. The owner or operator must notify the Administrator of the intent to conduct a performance test at least 60 days before the performance test is scheduled; notification of opacity or visible emission observations for a performance test must be provided at least 30 days before the observations are scheduled to take place.

ii. §63.1515 (b) - Notification of compliance status report. Each owner or operator of an existing affected source must submit a notification of compliance status report within 60 days after the compliance date established by §63.1501(a). Each owner or

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Operator of a new affected source must submit a notification of compliance status report within 90 days after conducting the initial performance test required by §63.1511(b), or within 90 days after the compliance date established by §63.1501(b) if no initial performance test is required. The notification must be signed by the responsible official who must certify its accuracy. A complete notification of compliance status report must include the information specified in paragraphs (a)(1) through (10) of this section. The required information may be submitted in an operating permit application, in an amendment to an operating permit application, in a separate submittal, or in any combination. In a State with an approved operating permit program where delegation of authority under section 112(l) of the CAA has not been requested or approved, the owner or operator must provide duplicate notification to the applicable Regional Administrator. If an owner or operator submits the information specified in this section at different times or in different submittals, later submittals may refer to earlier submittals instead of duplicating and resubmitting the information previously submitted. A complete notification of compliance status report must include:

(1) All information required in §63.9(h). The owner or operator must provide a complete performance test report for each affected source and emission unit for which a performance test is required. A complete performance test report includes all data, associated measurements, and calculations (including visible emission and opacity tests).

(2) The approved site-specific test plan and performance evaluation test results for each continuous monitoring system (including a continuous emission or opacity monitoring system).

(3) Unit labeling as described in §63.1506(b), including process type or furnace classification and operating requirements.

(4) The compliant operating parameter value or range established for each affected source or emission unit with supporting documentation and a description of the procedure used to establish the value (e.g., lime injection rate, total reactive chlorine flux injection rate, afterburner operating temperature, fabric filter inlet temperature), including the operating cycle or time period used in the performance test.

(5) Design information and analysis, with supporting documentation, demonstrating conformance with the requirements for capture/collection systems in §63.1506(c).

(6) If applicable, analysis and supporting documentation demonstrating conformance with EPA guidance and specifications for bag leak detection systems in §63.1510(f).

(7) Manufacturer's specification or analysis documenting the design residence time of no less than 1 second for each afterburner used to control emissions from a scrap dryer/delacquering kiln/decoating kiln subject to alternative emission standards in §63.1505(e).

(8) Manufacturer's specification or analysis documenting the design residence time of no less than 0.8 seconds and design operating temperature of no less than 1,600 °F for each afterburner used to control emissions from a sweat furnace that is not subject to a performance test.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(9)The OM&M plan (including site-specific monitoring plan for each group 1 furnace with no add-on air pollution control device).

(10) Startup, shutdown, and malfunction plan, with revisions.

iii. §63.1516 (a) - Startup, shutdown, and malfunction plan/reports. The owner or operator must develop a written plan as described in §63.6(e)(3) that contains specific procedures to be followed for operating and maintaining the source during periods of startup, shutdown, and malfunction, and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the standard. The owner or operator shall also keep records of each event as required by §63.10(b) and record and report if an action taken during a startup, shutdown, or malfunction is not consistent with the procedures in the plan as described in §63.6(e)(3). In addition to the information required in §63.6(e)(3), the plan must include:

(1) Procedures to determine and record the cause of the malfunction and the time the malfunction began and ended; and

(2) Corrective actions to be taken in the event of a malfunction of a process or control device, including procedures for recording the actions taken to correct the malfunction or minimize emissions.

iv. §63.1516 (b)(1)(iv-vii), (b)(2)(i), (b)(3) - Excess emissions/summary report. The owner or operator must submit semiannual reports according to the requirements in §63.10(e)(3). Except, the owner or operator must submit the semiannual reports within 60 days after the end of each 6-month period instead of within 30 days after the calendar half as specified in §63.10(e)(3)(v). When no deviations of parameters have occurred, the owner or operator must submit a report stating that no excess emissions occurred during the reporting period.

(1) A report must be submitted if any of these conditions occur during a 6-month reporting period:

(i) An excursion of a compliant process or operating parameter value or range (e.g., lime injection rate or screw feeder setting, total reactive chlorine flux injection rate, afterburner operating temperature, fabric filter inlet temperature, definition of acceptable scrap, or other approved operating parameter).

(ii) An action taken during a startup, shutdown, or malfunction was not consistent with the procedures in the plan as described in §63.6(e)(3).

(iii) An affected source (including an emission unit in a secondary aluminum processing unit) was not operated according to the requirements of this subpart.

(iv) A deviation from the 3-day, 24-hour rolling average emission limit for a secondary aluminum processing unit.

(2) Each report must include each of these certifications, as applicable:

(i) For each thermal chip dryer: “Only unpainted aluminum chips were used as feedstock in any thermal chip dryer during this reporting period.”

(3) The owner or operator must submit the results of any performance test conducted during the reporting period, including one complete report documenting test methods and procedures, process operation, and monitoring parameter ranges or values for each test method used for a particular type of emission point tested.

v. §63.1516 (c) - Annual compliance certifications. For the purpose of annual

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

certifications of compliance required by 40 CFR part 70 or 71, the owner or operator must certify continuing compliance based upon, but not limited to, the following conditions:

(1) Any period of excess emissions, as defined in paragraph (b)(1) of this section, that occurred during the year were reported as required by this subpart; and

(2) All monitoring, recordkeeping, and reporting requirements were met during the year.

7. Specific Control Equipment Operating Conditions:

a. For EP 3 the permittee shall maintain on site a weekly log of the pressure drop across the baghouses and ensure all parameters remain within the range recommended by the manufacturer and/or standard operating practices.

b. For EP 6 only, pursuant to 40 CFR 63 Subpart RRR §63.1506, the permittee shall comply with following control equipment operating requirements:

ii. (f)(1), (f)(2) - Thermal chip dryer. The owner or operator of a thermal chip dryer with emissions controlled by an afterburner must:

(1) Maintain the 3-hour block average operating temperature of each afterburner at or above the average temperature established during the performance test.

(2) Operate each afterburner in accordance with the OM&M plan.

ii. (p) - Corrective action. When a process parameter or add-on air pollution control device operating parameter deviates from the value or range established during the performance test and incorporated in the OM&M plan, the owner or operator must initiate corrective action. Corrective action must restore operation of the affected source or emission unit (including the process or control device) to its normal or usual mode of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. Corrective actions taken must include follow-up actions necessary to return the process or control device parameter level(s) to the value or range of values established during the performance test and steps to prevent the likely recurrence of the cause of a deviation.

8. Alternate Operating Scenarios:

Scenario 1: This scenario applies to Rotary Dryer processing other than clean charge and thus operating as a scrap dryer/delacquering kiln/decoating kiln. While operating as a scrap dryer/delacquering kiln/decoating kiln, the rotary dryer shall comply with the following requirements in addition to those listed above for the rotary dryer:

1. Operating Limitations:

a. Pursuant to 40 CFR 63 Subpart RRR §63.1506, the permittee shall comply with following operating requirements including but not limited to:

i. (b)(1), (b)(2) and (b)(3) Labeling. The owner or operator must provide and maintain easily visible labels posted at each group 1 furnace, group 2 furnace, in-line fluxer and scrap dryer/delacquering kiln/decoating kiln that identifies the applicable emission limits and means of compliance,

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

including:

(1) The type of affected source or emission unit (e.g., scrap dryer/delacquering kiln/decoating kiln, group 1 furnace, group 2 furnace, in-line fluxer).

(2) The applicable operational standard(s) and control method(s) (work practice or control device). This includes, but is not limited to, the type of charge to be used for a furnace (e.g., clean scrap only, all scrap, etc.), flux materials and addition practices, and the applicable operating parameter ranges and requirements as incorporated in the OM&M plan.

(3) The afterburner operating temperature and design residence time for a scrap dryer/delacquering kiln/decoating kiln.

ii. (g)(1) - Scrap dryer/delacquering kiln/decoating kiln (instead of §63.1506(f)(3)). The owner or operator of a scrap dryer/delacquering kiln/decoating kiln with emissions controlled by an afterburner and a lime-injected fabric filter must:

(1) For each afterburner:

(i) Maintain the 3-hour block average operating temperature of each afterburner at or above the average temperature established during the performance test.

(ii) Operate each afterburner in accordance with the OM&M plan.

2. Emission Limitations:

a. Pursuant to 40 CFR 63 Subpart RRR §63.1505 (e)(1)(iii), the permittee shall not emit from the rotary dryer, D/F emissions in excess of 5.0 µg of D/F TEQ/Mg (7.0×10^{-5} gr of D/F TEQ/ton) of feed/charge while processing material other than clean charge.

3. Testing Requirements:

a. Pursuant to §63.1501 (b), D/F emissions shall be tested according to 40 CFR 63 Subpart RRR §63.1511 and §63.1512 (c) within 90 days of startup of the thermal dryer as a scrap dryer/delacquering kiln/decoating kiln.

4. Specific Monitoring Requirements:

a. Pursuant to 40 CFR 63 Subpart RRR §63.1510, the permittee shall comply with following monitoring requirements including but not limited to:

i. (c) - Labeling. The owner or operator must inspect the labels for each group 1 furnace, group 2 furnace, in-line fluxer and scrap dryer/delacquering kiln/decoating kiln at least once per calendar month to confirm that posted labels as required by the operational standard in §63.1506(b) are intact and legible.

ii. (g) - Afterburner. These requirements apply to the owner or operator of an affected source using an afterburner to comply with the requirements of this subpart.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(1) The owner or operator must install, calibrate, maintain, and operate a device to continuously monitor and record the operating temperature of the afterburner consistent with the requirements for continuous monitoring systems in subpart A of this part.

(2)The temperature monitoring device must meet each of these performance and equipment specifications:

(i) The temperature monitoring device must be installed at the exit of the combustion zone of each afterburner.

(ii) The monitoring system must record the temperature in 15-minute block averages and determine and record the average temperature for each 3-hour block period.

(iii) The recorder response range must include zero and 1.5 times the average temperature established according to the requirements in §63.1512(m).

(iv) The reference method must be a National Institute of Standards and Technology calibrated reference thermocouple-potentiometer system or alternate reference, subject to approval by the Administrator.

(3) The owner or operator must conduct an inspection of each afterburner at least once a year and record the results. At a minimum, an inspection must include:

(i) Inspection of all burners, pilot assemblies, and pilot sensing devices for proper operation and clean pilot sensor;

(ii) Inspection for proper adjustment of combustion air;

(iii) Inspection of internal structures (e.g., baffles) to ensure structural integrity;

(iv) Inspection of dampers, fans, and blowers for proper operation;

(v) Inspection for proper sealing;

(vi) Inspection of motors for proper operation;

(vii) Inspection of combustion chamber refractory lining and clean and replace lining as necessary;

(viii) Inspection of afterburner shell for corrosion and/or hot spots;

(ix) Documentation, for the burn cycle that follows the inspection, that the afterburner is operating properly and any necessary adjustments have been made; and

(x) Verification that the equipment is maintained in good operating condition.

(xi) Following an equipment inspection, all necessary repairs must be completed in accordance with the requirements of the OM&M plan.

5. **Specific Record Keeping Requirements:**

a. A log of clock times when emission point 006 (rotary dryer) is operated as a scrap dryer/delacquering kiln/decoating kiln as defined in 40 CFR 63 Subpart RRR §63.1503. Pursuant to 40 CFR 63 Subpart RRR §63.1517(b)(2), the permittee shall keep:

i. Records of 15-minute block average afterburner operating temperature,

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

including any period when the average temperature in any 3-hour block period falls below the compliant operating parameter value with a brief explanation of the cause of the excursion and the corrective action taken; and

ii. Records of annual afterburner inspections.

b. Pursuant to 40 CFR 63 Subpart RRR §63.1517(b)(3), Records of monthly inspections for proper unit labeling for each affected source and emission unit subject to labeling requirements.

6. <u>Specific Control Equipment Operating Conditions</u>:

a. Pursuant to 40 CFR 63 Subpart RRR §63.1505 (e), the associated afterburner shall have a design residence time of at least 1 second and shall be operated at a temperature of at least 760°C (1400°F) at all times while the rotary dryer is operated as scrap dryer/delacquering kiln/decoating kiln.

Compliance Demonstration Methods:

See (a)(ii) in **4.Specific Monitoring Requirements** of the Alternate Operating Scenario and (a) in **5. Specific Record Keeping Requirements** of the Alternate Operating Scenario.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Group Requirements: **Group 2**

Emission Point (Company Number): **Construction commenced:**

001(E0) Raw material handling – non-ferrous metal scrap **October 12, 1994**

Description:
Non-ferrous metal scrap is conveyed at 170 tons/hour from trucks and railway cars for storage inside the building. The scrap is wetted down to lower fugitive dust emissions.

Emission Activity:	**Pollutants:**
Load-in, storage, and handling	PM, PM10

002(E1) Ring crusher and air classifier **October 12, 1994**

Description:
The ring crusher reduces the scrap material in order to liberate the steel from the aluminum and allow a more efficient separation of the material at a rate of 15 tons/hour. The emissions are controlled by a baghouse.

Emission Activity:	**Pollutants:**
Scrap crushing	PM, PM10

007(-) Vehicular Traffic Fugitive **October 12, 1994**

Description:
The paved and unpaved haul roads facilitate vehicular traffic and trucks to transport raw materials to and aluminum products from the source. The paved roads have 8840 vehicle miles traveled (VMT)/year and the unpaved roads have 1040 VMT/year.

Emission Activity:	**Pollutants:**
• Vehicular traffic	PM, PM10

APPLICABLE REGULATIONS:

- 401 KAR 59:010 – New process operations. Applies to particulate and visible emissions from emission point 002(E1).
- 401 KAR 63:010 – Fugitive emissions. Applies to fugitive particulate emissions.

1. Operating Limitations:

a. For each emission point, the permittee shall not process more than the rate(s) stated in the description or at rates that will cause source-wide particulate emissions to exceed 98.5 tons/12-month rolling average. Self-imposed to preclude 401 KAR 52:020 – Title V permits.

b. The permittee shall comply with applicable operating standards in 401 KAR 63:010 Section 3.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. Emission Limitations:

a. To preclude applicability of 401 KAR 52:020 – Title V, the permittee shall not emit particulate matter in excess of the allowable specified for each emission point in the following table:

Emission Point	Allowable
001(E0)	1.14 pounds/hour, 5 tons/12-month rolling average
002(E1)	0.34 pound/hour, 1.5 tons/12-month rolling average
007(-)	3.65 pounds/hour, 16 tons/12-month rolling average

b. Pursuant to 401 KAR 59:010, the permittee shall not emit visible emissions equal to or greater than twenty (20) percent opacity from emission point 002(E1).

Compliance Demonstration Method:

a. For particulate emissions from each emission point:
   i. The permittee shall demonstrate compliance with the particulate emission limit through the following equation:
   Hourly particulate emissions (pounds/hour)
   = Hourly throughput of particulate emitting raw materials (tons/hour or VMT/hour) x KEIS particulate emission factor (pounds/ton or pounds/VMT) x (1 - KEIS particulate control efficiency (%) / 100)
   Annual particulate emissions (tons/12-month rolling average)
   = Hourly particulate emissions (pounds/hour) x (8760 hours/12-month) / (2000 pounds/ton)
   The hourly throughput of raw materials shall be determined by averaging the total throughput for each month over the hours of operation for the month.

b. For emission point 002(E1), the permittee shall demonstrate compliance with the opacity limit through monitoring and maintenance of records as specified in 4(a). Specific Monitoring Requirements and 5(a). Specific Recordkeeping Requirements of Group 1.

3. Testing Requirements:

None.

4. Specific Monitoring Requirements:

The permittee shall monitor the following:

a. The type and monthly amount of scrap throughput to emission points 001(E0) and 002(E1).
b. The monthly total VMT for emission point 007(-).
c. The monthly hours of operation for each emission point.

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following:

a. The type and monthly amount of scrap throughput to emission points 001(E0) and 002(E1).

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

b. The monthly total VMT for emission point 007(-).
c. The monthly hours of operation for each emission point.

6. Specific Reporting Requirements:
Any exceedance over the emission limitations stated in this permit shall be reported to the Division as specified in Section F.

7. Specific Control Equipment Operating Conditions:
None

8. Alternate Operating Scenarios:
None.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

Description	Generally Applicable Regulation
Ladle heaters (12), 1 mmBtu/hr each	None
Ladle Heaters (3), 1.4 mmBtu/hr each	None
Diesel Storage Tank, 3,000 gallons	None
Lime Silo Storage Bin	401 KAR 59:010
Magnetite Silo Storage Bin	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the material incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

2. Source-wide particulate emissions shall not exceed 90 tons/12-month rolling average. Self-imposed to preclude 401 KAR 52:020 – Title V permits.

3. Particulate and visible emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, and D/F emissions, as measured by the method referenced in 40 CFR 63 Subpart RRR §63.1511 and §63.1512, shall not exceed the respective limitations specified herein.

4. The permittee shall follow the operation and monitoring requirements implemented in the site-specific OM& M plan for the Thermal Dryer/Scrap Dryer/Delacquering Kiln/Decoating Kiln (EP6). Pursuant to 63.1510(b), if KYDAQ determines at any time after receipt of the OM&M plan that any revisions of the plan are necessary to satisfy the requirements of this section or this subpart, the permittee must promptly make all necessary revisions and resubmit the revised plan. If the determines that any other revisions of the OM&M plan are necessary, such revisions will not become effective until the permittee submits a description of the changes and a revised plan incorporating them to KYDAQ.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a. Date, place (as defined in this permit), and time of sampling or measurements;
   b. Analyses performance dates;
   c. Company or entity that performed analyses;
   d. Analytical techniques or methods used;
   e. Analyses results; and
   f. Operating conditions during time of sampling or measurement.

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030 Section 3(1)(f)1a and Section 1a (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
   a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
   b. To access and copy any records required by the permit:
   c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

   Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
   a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within *30 days*. Deviations from permit requirements, including those previously reported under F.7 above, shall *be included in the semiannual report required by F.6* [Section 1b V(3) and (4) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

9. Pursuant to 401KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
   a. Identification of each term or condition;
   b. Compliance status of each term or condition of the permit;
   c. Whether compliance was continuous or intermittent;
   d. The method used for determining the compliance status for the source, currently and over the reporting period.
   e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

Division for Air Quality
Owensboro Regional Office
3032 Alvey Park Drive W.
Suite 700
Owensboro, KY 42303-2191

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission survey is not mailed to the permittee, then the permittee shall comply with all other emission reporting requirements in this permit.

11. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
    a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
        i. The size and location of both the original and replacement units; and
        ii. Any resulting change in emissions;
    b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
    c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
    d. The replacement unit shall comply with all applicable requirements; and
    e. The source shall notify Regional office of all shutdowns and start-ups.
    f. Within six (6) months after installing the replacement unit, the owner or operator shall:
        i. Re-install the original unit and remove or dismantle the replacement unit; or
        ii. Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

   a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a (2) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

   b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a (5) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

   c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
      (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
      (2) The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
      (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

      Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

   d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit[Sections 1a (6) and (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

SECTION G - GENERAL PROVISIONS (CONTINUED)

e. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].

f. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a (11) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

g. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a (3) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

h. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens. [Section 1a (12)(b) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

i. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a (9) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

j. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].

k. This permit does not convey property rights or exclusive privileges [Section 1a (8) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

l. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.

m. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.

n. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

SECTION G - GENERAL PROVISIONS (CONTINUED)

o. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

p. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
(1) Applicable requirements that are included and specifically identified in this permit; and
(2) Non-applicable requirements expressly identified in this permit.

q. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].

r. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

2. Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].

3. Permit Revisions

a. Minor permit revision procedures specified in 401 KAR 52:030 Section 14(3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14(2).

b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

SECTION G - GENERAL PROVISIONS (CONTINUED)

4. Construction, Start-Up, and Initial Compliance Demonstration Requirements

EP 6: Rotary Thermal Dryer (New)

a. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

b. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
   (1) The date when construction commenced.
   (2) The date of start-up of the affected facilities listed in this permit.
   (3) The date when the maximum production rate specified in the permit application was achieved.

c. Pursuant to 401 KAR 52:030, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.

d. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the draft permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.

e. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, pursuant to §63.1501 (b), D/F emissions shall be tested according to 40 CFR 63 Subpart RRR §63.1511 and §63.1512 on the EP 6, ***thermal chip dryer within90 days of startup***. *These performance tests must also be conducted in accordance with General Provisions G.4.h. this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance test.*

f. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

SECTION G - GENERAL PROVISIONS (CONTINUED)

g. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least thirty (30) days prior to the test.

h. Pursuant to 401 KAR 50:045 Section 5 in order to demonstrate that a source is capable of complying with a standard at all times, a performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.

5. Acid Rain Program Requirements

a. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

6. Emergency Provisions

a. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
   (1) An emergency occurred and the permittee can identify the cause of the emergency;
   (2) The permitted facility was at the time being properly operated;
   (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
   (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
   (5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.

SECTION G - GENERAL PROVISIONS (CONTINUED)

b. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].

c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030 Section 23(2)].

7. Risk Management Provisions

a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 1515
Lanham-Seabrook, MD 20703-1515.

b. If requested, submit additional relevant information to the Division or the U.S. EPA.

8. Ozone depleting substances

a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
   (1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   (2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
   (3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
   (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
   (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None